

REMARKS

The Office Action of June 24, 2003 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-19 are pending. Claim 19 was added as a preferred embodiment. Support for this claim is found in claim 12 and page 4, lines 9-16. The indication that claim 16 is allowable if rewritten in independent form is appreciated.

Claims 9 and 11 stand rejected as indefinite in regard to the "edge zone." Claim 9 was amended to delete "edge zone" as the claim already referred to "edge" and claim 11 was amended to delete "zone." Withdrawal of the instant rejection is requested.

Claims 1-4, 8, 14, and 18 stand rejected as anticipated by Nesbitt. Nesbitt describes patches or panels which can be magnetically attached to metal parts of a car body to obtain a camouflage effect. The purpose of the camouflage is to avoid being seen so that the vehicle can move undetected by animals (hunting) or the enemy (military). Military vehicles are usually painted in a brown-greenish color with a special paint which reflects little, if any, impinging light.

Hence, the panels or patches according to Nesbitt will have properties that limit most or all reflection in order to make the panels or patches feasible as camouflage. Thus, the panels or patches do not contain (nor want) a light active second layer or reflective layer having *signaling* properties. (Having signaling properties would completely defeat the purpose of Nesbitt.) Nesbitt does not teach a light active second layer and does not teach each and every element of the instant claims and hence cannot anticipate the instant claims. Withdrawal of the instant rejection is requested.

Claims 1-4, 12, 14, and 18 stand rejected as anticipated by Sano. Sano discloses a magnetically attachable sign, which has means to allow enclosed air or water to be released from between the sign and the body to which it is attached. The sign carries an advertisement or

sticker. See column 1, lines 59-61, which describes the flexible magnetic sheet carrying an advertising phrase or the like. There is nothing in Sano to indicate that the advertisement light-active second layer is a reflective layer having signaling properties and acts without external energizing to change the properties of incident light.

Sano does not teach a laminate having a light-active second layer, which is reflective and has signaling properties. Thus Sano does not teach each and every element of the instant claims and cannot anticipate the claims under 35 USC 102. In fact, the fact that Sano does not teach such a layer is recognized in the instant Office Action in response to applicant's previous arguments by the statement that *it would have been obvious* that Sano would have special features. Withdrawal of the instant rejection is requested.

Claim 10 stands rejected as unpatentable over Nesbitt or Sano in view of Karalus. Karalus is directed to adhesive tape with permanent magnets. Karalus does not teach or suggest a laminate having a light-active second layer, which is reflective and has signaling properties.

Even if properly combined, Karalus does not remedy the defects of Nesbitt. Nesbitt requires that the panels or patches require a camouflage effect. One skilled in the art would not have modified the panels or patches of Nesbitt to provide a reflective quality or signaling properties as such a modification would defeat the purpose of Nesbitt.

Moreover, Karalus does not remedy the defects of Sano. Karalus does not teach a laminate having a light-active second layer, which is reflective and has signaling properties. Thus, even if combined with Sano, one skilled in the art does not arrive at the claimed invention. Withdrawal of this rejection is requested.

Claim 13 stands rejected over Nesbitt or Sano in view of Durago. Durago is cited as clamping to a door or window, but there is no teaching on how the clamp would work for the signs of Sano or Nesbitt.

Durago discloses a sign, which is attached to a window of the car. The bottom of the sign passenger may contain magnets sewn into the sign. Durago does not teach or suggest a flexible

laminate having a reflective layer, carrier layer, and magnetic layer in accordance with the claimed invention.

Even if properly combined, Durago does not remedy the defects of Nesbitt. Nesbitt requires that the panels or patches require a camouflage effect. Thus, one skilled in the art would not have modified the panels or patches of Nesbitt to provide a reflective quality or signaling properties as such a modification would defeat the purpose of Nesbitt.

Moreover, Durago does not remedy the defects of Sano. Durago does not teach a laminate having a light-active second layer, which is reflective and has signaling properties. Thus, even if combined with Sano, one skilled in the art does not arrive at the claimed invention. Withdrawal of this rejection is requested.

Claims 6, 7, 9, and 11 stand rejected over Nesbitt or Sano in view of Clark. Clark discloses a magnetic device, which can be temporarily adhered to an automobile structure. The magnetic device is a solid rigid device, which is removable with a special removal tool. Initials, insignia, symbols, and the like may be printed, embossed, engraved, or affixed to the top of the device. Clark does not teach or suggest a *laminate* having a reflective layer, carrier layer, and magnetic layer.

Even if properly combined, Clark does not remedy the defects of Nesbitt. Nesbitt requires that the panels or patches require a camouflage effect. One skilled in the art would not have modified the panels or patches of Nesbitt to provide a reflective quality or signaling properties as such a modification would defeat the purpose of Nesbitt.

Moreover, Clark does not remedy the defects of Sano. Clark does not teach a flexible laminate having a light-active second layer, which is reflective and has signaling properties. Sano does not teach the advertising phrase as a layer and is not a laminate in accordance with the instant claims. Thus, even if combined with Sano, one skilled in the art does not arrive at the claimed invention because there is simply no teaching of a laminate with a light-active second layer. Withdrawal of this rejection is requested.

Claim 17 stands rejected over Nesbitt or Sano in view of Freedman. Freedman is cited as 669613-1

showing coextrusion. Freedman does not teach or suggest a laminate having a light-active second layer, which is reflective and has signaling properties.

Even if properly combined, Freedman does not remedy the defects of Nesbitt. Nesbitt requires that the panels or patches require a camouflage effect. Thus, one skilled in the art would not have modified the panels or patches of Nesbitt to provide a reflective quality or signaling properties as such a modification would defeat the purpose of Nesbitt.

Moreover, Freedman does not remedy the defects of Sano. Freedman does not teach a laminate having a light-active second layer, which is reflective and has signaling properties. Thus, even if combined with Sano, one skilled in the art does not arrive at the claimed invention. Withdrawal of this rejection is requested.

Claims 5 and 15 stand rejected as unpatentable over Nesbitt. As noted above, Nesbitt requires that the panels or patches require a camouflage effect. Thus, one skilled in the art would not have modified the panels or patches of Nesbitt to provide a reflective quality or signaling properties as such a modification would defeat the purpose of Nesbitt. Withdrawal of this rejection is requested.

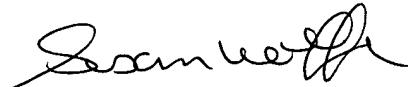
In regard to Bump, the position taken in the Office Action is based on hindsight. Moreover gluing symbols to the fabric does not create a laminate in accordance with the instant claims. However, it is noted that Bump was not cited in any rejection, thus the rejection over Bump is deemed to have been withdrawn. Likewise, there is no outstanding rejection including Carroll.

CONCLUSION

In view of the above amendments and remarks, withdrawal of the instant rejections and objections and issuance of a Notice of Allowance is respectfully requested.

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Respectfully submitted,



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Date: December 23, 2003

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